

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 L-03 JUSE-00 COME-00 TRSE-00

OMB-01 CIAE-00 INR-07 NSAE-00 /031 W

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R 081622Z JUL 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 1261

INFO USMISSION USBERLIN

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USMISSION EC BRUSSELS

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E.O. 11652: NA

TAGS: ETRD, OECD, GW

SUBJECT: POSSIBLE VIOLATIONS OF US ANTITRUST LAWS

BY GERMAN COMPANIES

REF: A. STATE 151594; B. STATE 154546

1. EMBOFF ADVISED DR. STAHL AT ECONMIN OF MR. GOLDSWEIG'S INTEREST IN MEETING WITH OFFICIALS OF GUTEHOFFNUNGSHUTTE (GHH) WHO, AFTER BEING ASSURED THAT MEETING WOULD BE VOLUNTARY AND INFORMAL, STATED THAT THERE WOULD BE NO FRG OBJECTION. STAHL STATED THAT IT WAS UP TO GHH TO DETERMINE WHAT, IF ANY, INFORMATION IT WISHED MR. GOLDSWEIG TO HAVE, AND AS LONG AS MR. GOLDSWEIG WAS AWARE OF AND ACCEPTED THIS CONDITION THERE WOULD BE NO PROBLEM. DR. STAHL EMPHASIZED THAT THE FRG HAD NO INTEREST IN THE MATTER AT THIS STAGE OTHER THAN THE PROTECTION OF THE LEGAL RIGHTS OF A GERMAN CORPORATE ENTITY. HE OFFERED TO ASSIST IN BROKERING THE MEETING, AND IN FACT WAS WILLING TO HOST IT, IF WE THOUGHT THAT WOULD BE BENEFICIAL.

2. IN A TELEPHONE CONVERSATION WITH MR. GOLDSWEIG WE DETERMINED THAT THE FORMER WAS FULLY AWARE OF THE UNCLASSIFIED

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CONDITIONS UNDER WHICH HIS DISCUSSION WITH GHH COULD

TAKE PLACE AND AGREED TO ABIDE BY THEM. THUS WE DID NOT HAVE TO AVAIL OURSELVES OF THE OFFER OF THE ECON-MIN TO ASSIST.

3. AS REFTEL A. INDICATED THAT MR. GOLDSWEIG WANTED HIS CONSULTATIONS KEPT INFORMAL, NEITHER USMISSION BERLIN NOR AMEMBASSY BONN HAS MADE OFFICIAL NOTIFICATION OF MR. GOLDSWEIG'S MEETING WITH GHH. EMBASSY HAS, HOWEVER, INFORMALLY ADVISED DR. STAHL OF THE CONTENTS OF REFTEL B. AS INDICATED, DR. STAHL'S REACTION WAS ONE OF COOPERATIVE WILLINGNESS TO ASSIST TO THE EXTENT NECESSARY TO FACILITATE THE MEETING.

HILLENBRAND

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